

ORDINANCE NO. 2017-65

AN ORDINANCE OF THE CITY OF MELBOURNE, BREVARD COUNTY, FLORIDA, RELATING TO THE BABCOCK STREET REDEVELOPMENT PLAN; MAKING FINDINGS; AMENDING CHAPTER 20 OF THE CITY CODE, ENTITLED "COMMUNITY PLANNING AND DEVELOPMENT"; AMENDING SECTION 20-170, DURATION OF AGENCY; AMENDING SECTION 20-172, COMMUNITY REDEVELOPMENT PLAN APPROVED; PROVIDING FOR A REDEVELOPMENT PLAN MODIFICATION TO INCLUDE NEW PROGRAMS AND EXTENDING THE DURATION OF THE AGENCY BY ONE YEAR; PROVIDING FOR SEVERABILITY AND INTERPRETATION; PROVIDING AN EFFECTIVE DATE; AND PROVIDING AN ADOPTION SCHEDULE.

WHEREAS, pursuant to F. S. § 163.410, on September 9, 1997, the Board of County Commissioners of Brevard County, Florida, adopted Brevard County Resolution No. 97-187, delegating authority to the City Council of the City of Melbourne to create and operate a Chapter 163, Florida Statutes, Community Redevelopment Agency generally known as the Babcock Street Community Redevelopment Agency within the area described in Section 20-164, City Code; and

WHEREAS, the Brevard County Commission has amended Resolution No. 97-187 by providing one additional year to the duration of the Babcock Street Community Redevelopment Agency with a revised sunset date of September 9, 2023; and

WHEREAS, pursuant to F. S. § 163.361, the governing body may amend such plan upon the recommendation of the agency should it become necessary or desirable to amend or modify the redevelopment plan; and

WHEREAS, the proposed amendment to the redevelopment plan attached to this ordinance as Exhibit "A" and incorporated herein by reference, provides the modified Babcock Street Community Redevelopment Plan; and

WHEREAS, the Melbourne City Council and the Local Planning Agency reviewed the

plan and found the proposed amendment to the redevelopment plan to be consistent with the Comprehensive Plan; and

WHEREAS, the Melbourne City Council desires to amend the Babcock Street Redevelopment Plan, revising the plan for the implementation of new programs, including an extension to the duration of the agency for one additional year, with a new termination date of September 9, 2023.

BE IT ENACTED BY THE CITY OF MELBOURNE, FLORIDA:

SECTION 1. That Section 20-170 of the City Code of Melbourne, Florida, is hereby amended to read as follows:

Sec. 20-170. Duration of agency.

~~Unless extended by resolution of the board of county commissioners amending Resolution No. 97-187:1, the delegation of authority provided for in County Resolution No. 97-187 shall terminate on September 8, 2022 (25 years after the date of delegation of authority to create the Babcock Street Community Redevelopment Agency by virtue of County Resolution No. 97-187). Under the delegation of authority in County Resolution No. 97-187, an established termination date of September 8, 2022 was instituted (25 years after the date of delegation of authority to create the Babcock Street Community Redevelopment Agency by virtue of County Resolution No. 97-187). County Resolution No. 97-187 was amended by County Resolution No. 2017-234 to extend the duration of the Babcock Street Community Redevelopment Agency one additional year, with a modified termination date of September 9, 2023. Thereupon, the community redevelopment agency shall cease to exist as a community redevelopment agency pursuant to F.S. ch. 163, pt. III.~~

SECTION 2. That Section 20-172 of the City Code of Melbourne, Florida, is hereby amended to read as follows:

Section 20-172. Community redevelopment plan approved.

The Babcock Street Community Redevelopment Plan adopted by Ordinance No. 98-23, and as amended by Ordinance No. 2002-28, Ordinance No. 2003-06, and Ordinance No. 2008-06, and Ordinance No. 2017-65 shall constitute the community redevelopment plan for the Babcock Street Community Redevelopment Agency.

SECTION 3. That attached hereto as Exhibit "A" and incorporated herein by this reference is the amendment to the Community Redevelopment Plan dated December 12, 2017.

SECTION 4. Severability/Interpretation Clause.

(a) That in the event that any term, provision, clause, sentence or section of this ordinance shall be held by a court of competent jurisdiction to be partially or wholly unenforceable or invalid for any reason whatsoever, any such invalidity, illegality, or unenforceability shall not affect any of the other or remaining terms, provisions, clauses, sentences, or sections of this ordinance, and this ordinance shall be read and/or applied as if the invalid, illegal, or unenforceable term, provision, clause, sentence, or section did not exist.

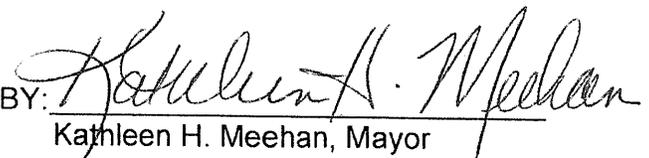
(b) That in interpreting this ordinance, underlined words indicate additions to existing text and ~~stricken words~~ indicate deletions from existing text.

SECTION 7. Effective Date. That this ordinance shall become effective immediately upon its adoption in accordance with the City Charter.

SECTION 8. Adoption Schedule. That this ordinance was passed on the first reading at a regular meeting of the City Council on the 28th day of November, 2017, and adopted on the second and final reading at a regular meeting of the City Council on the 12th day of December, 2017.

 ATTEST

Kevin McKeown, Assistant City Clerk

BY: 
Kathleen H. Meehan, Mayor

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Attachment: Exhibit "A" – Babcock Street Community Redevelopment Plan Amendment

Babcock Street CRA

Project Prioritization and One Year Extension

December 12, 2017

The Listing of Capital Projects will be the amended priorities for the Babcock Street Community Redevelopment Agency under this 2017 Redevelopment Plan Amendment. Projects and initiatives already undertaken by the agency prior to this redevelopment plan amendment will continue through completion in addition the following list of projects:

Capital Improvements	Approx. Cost	Source	Target Year
Phase III-B Medians Project*	\$2,300,000	TIF	2018
Babcock Street Reconstruction (Hibiscus to Apollo)	\$1,800,000	TIF, County, Loan	2018**
Airport Boulevard Turn Lane	\$1,280,000	TIF	2020
Apollo Boulevard Area Sidewalks	\$655,000	TIF	2021
NASA Boulevard Bus Turn Out & Shelters	\$415,000	TIF	2022

*Project is currently under design & permitting

**Project will Require CRA bond repayment to 2023

The Babcock Street Community Redevelopment Agency will expire on September 9, 2023.